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MINUTES OF THE 65TH MEETING OF THE ELEVENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 8TH SEPTEMBER 2016

- PRESENT:
- Her Excellency the Governor, Ms Christina Scott
 - The Honourable Victor Banks, Chief Minister and Minister of Finance,
Economic Development, Commerce, Tourism, Lands & Physical Planning
 - The Honourable Deputy Governor, Mr Perin Bradley
 - The Honourable Evans Rogers, Minister of Health and Social Development
 - The Honourable Cora Richardson-Hodge, Minister of Home Affairs, Immigration,
Labour, Environment, Human Rights, Gender Affairs, Constitutional Affairs and
Information and Broadcasting
 - The Honourable Curtis Richardson, Minister of Infrastructure, Communications,
Utilities, Housing, Agriculture and Fisheries and Information Technology
 - The Honourable Attorney General, Mr John McKendrick QC
 - Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE:
- Hon Cardigan Connor, Parliamentary Secretary
 - Mr Marc Bienvenu, Property Tax Consultant
 - Mr Kiel Connor, Comptroller, Inland Revenue
 - Mr Steve McCready, Chief of Staff, Governor's Office
 - Ms Dawne Richardson, Senior Parliamentary Counsel, AG's Chambers
 - Mrs Jacqueline Sealy-Burke, Director, Legal Aid & Counselling Clinic (LACC)
 - Ms Heather Stewart, Child Protection Specialist, UNICEF Office for the Eastern
Caribbean Area
 - Ms Navine Fleming, Attorney-at-law, Libran Chambers, Anguilla
 - Mr Francis Letang, Deputy Court Administrator, Eastern Caribbean Supreme Court
 - Ms Marie Horsford, Representative for the Leader of the Opposition
 - Mrs Mary Clare Haskins-Banton, Senior Legal Counsel of the FSC
 - Ms Marisa Harding-Hodge, Compliance Officer, Finance
 - Mr Foster Rogers, PS, EDICTLP
 - Mr Leslie Hodge, DLS

EX MIN 16/545

CONFIRMATION OF THE MINUTES

Hon Cardigan Connor, Parliamentary Secretary joined the Meeting.

Council confirmed the Minutes of the 64th Meeting held on Thursday 1st September 2016.

MATTERS ARISING FROM THE MINUTES

EX MIN 16/546

EX MIN 16/529 PROPERTY TAX IMPLEMENTATION

Hon Parliamentary Secretary remained in attendance. Messrs Kiel Connor, Comptroller, Inland Revenue and Marc Bienvenu, Property Tax Consultant joined the Meeting.

Further to EX MIN 16/529 of 1st September 2016, Council noted a further presentation by the Property Tax Consultant on the property tax arrangement and the introduction of payment plans. Council suggested that a press statement/newspaper article should be issued explaining how the proposed 20% discount would be applied. Council further noted that Regulations needed to be drafted and would be considered in Executive Council on Thursday 22 September 2016 when the Tax Consultant was due back on the island.

Action: HON DG; CIR; MINS OF GOV'T

EX MIN 16/547

PRESENTATIONS ON THE ENACTMENT STATUS OF CHILDREN BILL AND THE MAINTENANCE OF CHILDREN BILL IN ANGUILLA

Hon Parliamentary Secretary remained in attendance. The following persons joined the Meeting:-

Mr Steve McCready, Chief of Staff, Governor's Office

Ms Dawne Richardson, Senior Parliamentary Counsel, AG's Chambers

Mrs Jacqueline Sealy-Burke, Director, Legal Aid & Counselling Clinic (LACC)

Ms Heather Stewart, Child Protection Specialist, UNICEF Office for the Eastern
Caribbean Area

Ms Navine Fleming, Attorney-at-law, Libran Chambers, Anguilla

Mr Francis Letang, Deputy Court Administrator, Eastern Caribbean Supreme Court

Ms Marie Horsford, Representative for the Leader of the Opposition

Council noted the presentations by the various presenters on segments concerning the enactment status of Children Bill and the Maintenance of Children Bill in Anguilla as part of the OECS Family Law and Domestic Violence Reform Project. It was pointed out that the current laws were outdated and were not in the best interest of children, and that there were serious deficiencies as it relates to child maintenance. Therefore, their primary focus was to ensure that the concerns and the needs of children were being addressed.

Council additionally noted that Mrs Jacqueline Sealy-Burke, Director, Legal Aid &

Counselling Clinic (LACC) would be conducting public and stakeholder consultation activities with sponsorship from the Eastern Caribbean Supreme Court and funded by UNICEF. Mrs Sealy-Burke commended the Government of Anguilla for their dedicated work towards the draft law Reform Project.

Council thanked the Officials for their comprehensive presentations.

Action: PS, HSD; HON AG; SPC; SDP; MINS OF GOV'T

EX MIN 16/548

EX MEM 16/342 CARIBBEAN FINANCIAL ACTION TASK FORCE 4TH ROUND MUTUAL EVALUATION PROCESS & THE NATIONAL RISK ASSESSMENT (NRA) – REQUEST FOR APPROVAL OF NRA STEERING COUNCIL AND WORKING GROUP AND RELATED MATTERS INCLUDING FUNDING

Hon Parliamentary Secretary remained in attendance. Chief of Staff, Governor's Office remained for discussion. Mrs Mary Clare Haskins-Banton, Senior Legal Counsel of the FSC and Ms Marisa Harding-Hodge, Compliance Officer, Finance joined the Meeting.

Council:-

- (i) confirmed the Government's political and financial support of the National Risk Assessment (the "NRA");
- (ii) agreed to the immediate establishment of a National Risk Assessment Steering Council (the "NRASC"), to meet at least once every three months to consider and direct the progress of the NRA to oversee the policy making aspects of the NRA and seek to address any weaknesses/vulnerabilities identified by the NRA;

The NRASC will consist of:

- (1) The Hon Chief Minister/Minister of Finance
 - (2) Hon Minister of Home Affairs (Chairperson)
 - (3) The Hon Attorney General
 - (4) The Hon Deputy Governor
 - (5) The Commissioner of Police
 - (6) The Director, Financial Services Commission
 - (7) Chief of Staff, Governor's Office
 - (8) Permanent Secretary for Finance
 - (9) Private Sector Representative
- (iii) agreed to the immediate establishment of the Anguilla NRA Working Group ("ANRAWG") to lead and direct Government and private sector activity on the National Risk Assessment, to deliver the actual work required (i.e. carry out the data collection tasks, write the NRA report and drive forward delivery of the resultant Action Plan), and to report to the NRASC;

The ANRAWG will consist of:

- (1) Chairman of the MLRA (Chairperson)

- (2) Coordinator of the ANRAWG
 - (3) Deputy Coordinator of the ANRAWG
 - (4) Head, Financial Intelligence & Investigation Unit
 - (5) Comptroller, HM Customs
 - (6) Comptroller, Inland Revenue
 - (7) Commissioner/Deputy Commissioner of Police, RAPF
 - (8) Chief Immigration Officer, Department of Immigration
 - (9) Deputy Director, AML/CFT, Financial Services Commission
 - (10) Compliance Manager, Ministry of Finance
 - (11) Crown Counsel, Attorney General's Chambers
 - (12) Chief of Staff, Governor's Office
 - (13) Private Sector Representative (on an as needed basis)
- (iv) agreed that Mrs Mary Clare Haskins-Banton, Senior Legal Counsel of the FSC should be appointed as Coordinator of the ANRAWG;
- (v) agreed that Ms Marisa Harding-Hodge, Compliance Manager in the Ministry of Finance should be appointed as Deputy Coordinator of the ANRAWG;
- (vi) directed each relevant Department in the Government of Anguilla (i.e. those Departments represented on the ANRAWG) to include as part of their Department's business planning and performance objectives active and timely participation in, and support of, the NRA process;
- (vii) directed all Heads of the relevant Departments in the Government of Anguilla (i.e. those Departments represented on the ANRAWG) to cooperate with and provide assistance to the Coordinator and Deputy Coordinator of the ANRAWG in delivering the NRA;
- (viii) authorised the Coordinator and Deputy Coordinator of the ANRAWG to request the Heads of the relevant Departments to collect and provide analysis of relevant statistics needed to complete the NRA;
- (ix) agreed to approve government funding for delivery of the NRA, including at least the annual budgeted amounts set out below:

<u>Year</u>	<u>Amount</u>
2017	USD 28,500
2018	USD 27,000
2019	USD 26,500

comprising:

- (a) The cost of a consultant over the three (3) year period is estimated at USD 75,000;

- (b) The costs associated with NRASC and ANRAWG meetings over the three (3) year period (e.g. telephone calls and printing costs of interim and full reports) estimated at USD 2,500;
- (c) The costs associated with distributing and collecting questionnaires to stakeholders estimated at USD 1,500;
- (d) The costs associated with introducing the NRA process to the public sector, particularly the financial services industry, including three (3) – five (5) public workshops/presentations. These events will incur costs in relation to venue hire estimated at USD 3,000; and
- (e) The costs associated with the assessment team visiting Anguilla to assess the country in 2020 can be assessed at a later date.

Council expressed the desire to see more Private Sector representatives. Council noted that when the Steering Committee of the CFATF meets, recommendations of names for Private Sector representatives will be put forward and subsequently submitted to Executive Council for consideration.

Council authorised the issue of the action sheet before confirmation of the Minutes.

Action: PS, FIN; PS, EDICTLP; HON AG; COM OFF/FIN; SLC/FSC; MINS OF GOV'T

EX MIN 16/549

EX MEM 16/343 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – SUSAN KAY TUCKER & WILLIAM CARLETON TUCKER – REGISTRATION SECTION WEST END, BLOCK 18011 B, PARCEL 45 SL 1B, CONTAINING 564 SQUARE FEET

Hon Parliamentary Secretary remained in attendance. Messrs Foster Rogers, PS, EDICTLP and Leslie Hodge, DLS joined the Meeting.

Council agreed that an Aliens Land Holding Licence should be issued to Susan Kay Tucker and William Carleton Tucker to hold property described as Registration Section West End, Block 18011 B, Parcel 45 SL 1B, containing 564 sq. ft. located at Meads Bay, Anguilla for tourism purposes, subject to the following:-

- | | | |
|------|--|-----------------------|
| (a) | Payment of the following Stamp Duties: | |
| (i) | under the Stamp Act – 5%
of EC\$2,150,560.00 | EC\$107,528.00 |
| (ii) | under the Aliens Land Holding
Regulation Act – 12.5%
of EC\$2,150,560.00 | EC\$268,820.00 |
| | TOTAL | EC\$376,348.00 |
| | | ===== |

- (b) Carimar Beach Club Limited should be the exclusive renting agent for the Unit;
- (c) the Licensees should be required to enter into an agreement with Carimar Beach Club Limited for the management and use of the unit for at least forty-four (44) weeks in each calendar year; and
- (d) the licensees shall have the right to reside in the unit for a maximum of eight (8) weeks in each calendar year without being liable for the payment of accommodation tax. However, if the applicants wish to live in their unit for a period longer than eight (8) weeks, then they should be required to pay the accommodation tax.

Council authorised the issue of the action sheet before confirmation of the Minutes.

Action: PS, EDICTLP; PS, FIN; DLS

EX MIN 16/550

EX MEM 16/344 FILLING OF VACANCIES AT INLAND REVENUE DEPARTMENT

Hon Parliamentary Secretary remained in attendance.

Council:-

- (i) noted that the previous Collections and Compliance Manager had been recently appointed as Comptroller of Inland Revenue, and that the current Compliance Officer had been awarded a UK Chevening Scholarship to pursue a one (1) year Masters Degree in Accounting and Finance;
- (ii) noted that the views of the Permanent Secretaries had been sought in relation to the filling of these posts and a favourable response given;
- (iii) additionally noted that provisions in the 2016 Budget would be sufficient to accommodate the filling of the posts; and
- (iv) agreed that the posts of Collections and Compliance Manager and Compliance Officer in the Inland Revenue Department should be filled.

Council authorised the issue of the action sheet before confirmation of the Minutes.

Action: PS, FIN; PS, PA; CIR; PS, EDICTLP; PAS, FIN; BD; ACC GEN

EX MIN 16/551

EX MEM 16/345 FILLING OF A JUVENILE CARE WORKER POST DUE TO TRANSFER

Hon Parliamentary Secretary remained in attendance.

Council:-

- (i) noted that a Juvenile Care Worker at Zenaida Haven, the Juvenile Rehabilitation Centre had been transferred to another Department;

- (ii) noted that the views of the Permanent Secretaries had been sought in relation to the filling of the post and a favourable response given;
- (iii) further noted that budgetary provisions had already been made for the post; and
- (iv) agreed that the post of Juvenile Care Worker at Zenaida Haven should be filled.

Council authorised the issue of the action sheet before confirmation of the Minutes.

Action: PS, HSD; PS, PA; PS, FIN; PS, EDICTLP; BD; ACC GEN

EX MIN 16/552

EX MEM 16/346 APPLICATIONS FOR THE PERMIT OF PERMANENT RESIDENCE

Hon Parliamentary Secretary remained in attendance.

Council agreed that the following twenty-three (23) persons on the attached list should be granted the Permit of Permanent Residence in accordance with Section 24 of the Immigration and Passport Act.

Council authorised the issue of the action sheet before confirmation of the Minutes.

Action: PS, IMM; LAB COM; CIO

EX MIN 16/553

EX MEM 16/347 FILLING THE VACANT POSITIONS OF DATA ENTRY CLERK

Hon Parliamentary Secretary remained in attendance.

Council:-

- (i) noted that two (2) positions of Data Entry Clerk in the Immigration Department had become vacant due to the recent death of one of the Clerks and the recent promotion of another Clerk to the post of Immigration Officer I;
- (ii) noted that the views of the Permanent Secretaries had been sought in relation to the filling of the posts and a favourable response given;
- (iii) further noted that budgetary provisions had already been made for the posts; and
- (iv) agreed that the two (2) vacant posts of Data Entry Clerk in the Immigration Department should be filled.

Council authorised the issue of the action sheet before confirmation of the Minutes.

Action: PS, IMM; CIO; PS, PA; PS, FIN; PS, EDICTLP; BD; ACC GEN

ORAL MENTION

EX MIN 16/555

OVERSEAS TRAVEL

Council was informed of the following dates of travel:-

- 1) Hon Chief Minister - 11 – 13 September, NY, Tourism Meetings
- 2) Hon Minister of Social Development - 14 – 22 September, leave
- 23 – 26 September, Washington DC, COHSOD Ministers of Health Meeting

Action: EXCO MEMBERS
